



(AJET, S.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re Terrorist Attacks on September 11, 2001

03MDL 1570 (RCC)

ECF Case

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CONTINENTAL CASUALTY CO., et al.,

v.

Case No. 04-CV-5970 (RCC)

ECF Case

AL QAEDA ISLAMIC ARMY, et al.
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**STIPULATION WITH REGARD TO RULING ON
MOTIONS TO DISMISS OF
DEFENDANT MAR JAC POULTRY, INC.
IN RELATED CASES**

WHEREAS the plaintiffs in the action entitled Continental Casualty Co.
v. Al Qaeda Islamic Army (the "Action") filed their complaint on September 1
, 2004 and filed their amended complaint on December 7, 2004;

WHEREAS Mar Jac Poultry, Inc. ("MJP") is named as a defendant in the
amended complaint in the Action;

WHEREAS MJP acknowledges that service of the amended complaint in
the Action has been effected pursuant to the agreement reached between its
counsel and plaintiffs' counsel;

WHEREAS MJF has filed motions to dismiss the complaints naming it as a defendant in the following related cases (the "Related Cases"): *Ashton v. Al Qaeda Islamic Army*, 02-CV-6977 (RCC); *Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849 (RCC); *Federal Insurance Co. v. Al Qaida*, 03-CV-6978 (the "Motions")

WHEREAS MJF's Motions have been fully briefed by all parties thereto and is awaiting resolution by the Court;

WHEREAS the allegations in the amended complaint in the Action parallel those in the complaints filed in the Related Cases and, in many instances, are identical to them; in particular, the allegations that make specific reference to MJF in the amended complaint in the Action are substantially similar to those in the Related Cases;

WHEREAS the parties hereto wish to avoid, if possible, burdening the Court with additional filings or themselves with unnecessary litigation costs;

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. The parties hereto will adopt as a binding order in the Action, with regard to MJF, the order of this Court deciding the Motions (the "Order")

2. In the event the Order is appealed, the parties hereto will adopt as a binding order in the Action, with regard to MJP, any subsequent rulings by any appellate courts with regard to the Order.

3. All further proceedings in the Action with regard to MJP are stayed pending the resolution of the Motions and MJP's motion to dismiss the amended complaint in the Action is withdrawn. After resolution of the Motions, if the Court, with regard to the cases covered by the Motions, orders or requires the filing of any answer by MJP and/or orders or permits discovery with regard to MJP, such order, requirement or permission will apply to the Action, as well.

Dated: New York, New York
June 16, 2005

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SO ORDERED:



RICHARD CONWAY CASEY, U.S.D.J.

July 8, 2005